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C O N F I D E N T I A L SECTION 01 OF 02 SARAJEVO 002425

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DEPARTMENT FOR EUR(DICARLO), EUR/SCE
(HOH/FOOKS/STINCHCOMB), IO/UNP

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SUBJECT: BOSNIA - HIGHREP'S NOVEMBER 15 REPORT TO THE UN
SECURITY COUNCIL

Classified By: Ambassador Charles English. Reason 1.4(b) and (d).

11. (U) This is an action message. See paragraph six.

12. (C) SUMMARY: High Representative Miroslav Lajcak will make his semi-annual report to the United Nations Security Council (UNSC) against the backdrop Bosnia's most serious political crisis since Dayton. Bosnian Serb Chairman of the Council of Ministers Nikola Spiric, having had his resignation formally accepted on Monday, is now serving in a "technical mandate" pending conclusion of negotiations on his successor. Nonetheless, Spiric has decided to attend the November 15 UNSC session, but he is doing so without official authorization from Bosnia's Presidency and Ministry of Foreign Affairs -- the two state-level institutions charged with responsibility for foreign policy. We and the HighRep anticipate that Spiric's intervention will be unconstructive and could complicate EU and U.S. efforts to secure renewal of EUFOR's mandate, which expires on November 21. With this in mind, we believe it is important that the U.S. use the UNSC discussion of Bosnia to underscore our continued support for the HighRep and make clear that Spiric's intervention should be regarded as a personal statement, not official Bosnian government policy. END SUMMARY

Bosnia: Current Political State of Play

13. (C) On October 15, High Representative Lajcak used his Bonn Powers to announce measures design to facilitate decision-making in Bosnian state-level institutions. With the exception of Russia, members of the Peace Implementation Council (PIC) have strongly supported the measures and back the HighRep's efforts to ensure that they are implemented. Bosnian Serbs, led by RS PM Dodik, have rejected the measures and challenged the authority of the HighRep and the international community, sparking Bosnia's most serious political crisis since Dayton. Unfortunately, Dodik and the Bosnian Serbs, with tacit support from Moscow and Belgrade, have rebuffed several attempts to provide them with a face saving way out of confrontation they have initiated. On November 2, Nikola Spiric, Bosnian Serb Chairman of the Council of Ministers (in effect the country's PM), resigned in protest of the HighRep's measures. Bosnia's Tri-Presidency accepted his resignation on November 12, but Spiric and other ministers remain in office on a technical mandate until a new government is formed.

14. (C) The HighRep is scheduled to make his semi-annual report to the UNSC on Thursday, November 15 prior to the Council's discussion of the situation in Bosnia. Spiric has independently decided that he will also attend the HighRep's presentation to the UNSC. Spiric's travel has not been authorized by Bosnia's Presidency, though there is nothing the Presidency can do to prevent it. In addition, Spiric has not secured approval from the Ministry of Foreign Affairs or the Presidency for his remarks to the Council. Spiric's conduct is not unprecedented. Former PM Terzic, a Bosniak, did the same when the HighRep made his semi-annual report to the UN in November 2006. At the time Terzic was serving in a "technical mandate" -- elections having taken place just one month prior, but a successor government had not been named. Terzic's travel and remarks angered the Bosnian Serbs, who argued (correctly) that Terzic lacked the authority to speak on behalf of Bosnia.

15. (C) Spiric's remarks to the UNSC come at an extremely sensitive and emotional period in Bosnia and are likely to spark greater political controversy than Terzic's unauthorized speech in 2006. Spiric is likely to challenge the HighRep's authority, particularly the Bonn Powers, attack his October 15 measures, and blame the HighRep's actions and bias within the international community for Bosnia's current political crisis. The HighRep and others in the international community are also concerned that Spiric will use his intervention to complicate EU and U.S. efforts to secure UNSC renewal of EUFOR's mandate, which is critical to OHR's standing within Bosnia.

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Comment and Action Request

16. (C) We share the HighRep's and others concerns that Spiric intervention is unlikely to be constructive and could complicate the EUFOR mandate debate. We realize it is impossible to prevent Spiric from speaking, but it is important that his intervention does not go unchallenged by the U.S. and other UNSC members. With this in mind, we recommend that the U.S. make the following points on November 15, and urge other members of the UNSC, especially Quint members, to do the same. First, we strongly support the HighRep and his October 15 measures. Second, we expect all Bosnia's political leaders to respect the measures and implement them. Third, Spiric's intervention constitutes a personal statement only. It does not constitute the official view of the Bosnian government or consensus among political parties that belong to the current governing coalition.

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